IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.11488 of 2008
DOMI PASWAN
Versus
THE STATE OF BIHAR

3/ 29.08.2008 Heard learned Counsel for the petitioner and learned Counsel appearing on behalf of the State.

Allegation against the petitioner is that he gave a lathi blow on the head of the informant's wife. The case was registered under Section 307 of the Indian Penal Code but after death of the injured Section 302 of the Indian Penal Code was added.

Submission is that this is a case of single blow and there was no repetition, so the case at best comes under Section 304 of the Indian Penal Code. During investigation, witnesses have given another turn to the occurrence and they have stated some other facts.

Considering the facts and circumstances of the case, the petitioner Domi Paswan is ordered to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge, F.T.C.-IVth, Begusarai in connection with S.T. No. 95/2007 arising out of Chairiabarpur P.S. Case No. 155/2004.

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kksinha/ **(Shyam Kishore Sharma, J.)**